

Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**TRANSMITTAL LETTER TO THE UNITED STATES
 DESIGNATED/ELECTED OFFICE (DO/EO/US)
 CONCERNING A FILING UNDER 35 U.S.C. § 371**

ATTORNEY'S DOCKET NUMBER

NB 2029.00

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/511,489

| | | |
|--|--|--|
| INTERNATIONAL APPLICATION NO. PCT/US2003/011981 | INTERNATIONAL FILING DATE 17 April 2003 | PRIORITY DATE CLAIMED 18 April 2002 |
|--|--|--|

TITLE OF INVENTION

PEPTIDE DEFORMYLASE ACTIVATED PRODRUGS

APPLICANT(S) FOR DO/EO/US

CELMED ONCOLOGY (USA), INC.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected (PCT Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A preliminary amendment.
14. An Application Data Sheet under 37 CFR 1.76.
15. A substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information: Postcard receipt.

The collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | |
|--|--|--|--------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/511,489 | INTERNATIONAL APPLICATION NO. PCT/US2003/011981 | ATTORNEY'S DOCKET NUMBER: NB 2029.00 | |
| 21. <input checked="" type="checkbox"/> The following fees are submitted: | | CALCULATIONS | PTO USE ONLY |
| BASIC NATIONAL FEE (37 CFR 1.492(a) (1) - (5)): | | | |
| Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO | | \$1,110.00 | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO | | \$950.00 | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO | | \$790.00 | |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provision of PCT Article 33(1)-(4) | | \$750.00 | |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) | | \$100.00 | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = \$ | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | \$130.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE |
| Total claims | 17 - 20 = | 0 | x \$18.00 \$ |
| Independent claims | 1 - 3 = | 0 | x \$88.00 \$ |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | + \$300.00 | \$ |
| TOTAL OF ABOVE CALCULATIONS = \$ | | | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. | | \$65.00 | |
| | | SUBTOTAL = | \$65.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | + | \$ |
| | | TOTAL NATIONAL FEE = | \$ |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | + | \$ |
| | | TOTAL FEES ENCLOSED = | \$65.00 |
| | | Amount to be refunded: | \$ |
| | | Amount to be charged: | \$ |
| a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed. | | | |
| b. <input checked="" type="checkbox"/> Please charge my <u>Deposit Account No. 50-2518</u> (our ref. 7008512001) in the amount of \$65.00 to cover the above fees. A duplicate copy of this sheet is enclosed. An original and copy of a Fee Transmittal for FY 2005 is enclosed. | | | |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to <u>Deposit Account No. 50-2518</u> (our ref. 7008512001). A duplicate copy of this sheet is enclosed. An original and copy of a Fee Transmittal for FY 2004 is enclosed. | | | |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | |
| SEND ALL CORRESPONDENCE TO: | | | |
| Antoinette F. Konski Bingham McCutchen LLP Three Embarcadero Center, 18 th Floor San Francisco, California 94111-4067 Telephone: (650) 849-4950 Facsimile: (650) 849-4800 | |  SIGNATURE <u>Antoinette F. Konski</u> NAME | |
| 12/23/2004 GFREY1 0000081 502518 10511489 | | 34.202 REGISTRATION NUMBER | |
| 01 FC:2617 65.00 DA | | CERTIFICATE OF MAILING BY "EXPRESS MAIL" | |
| | | Express Mail Label No.: EV 313 811 941 VS Date of Deposit: December 16, 2004 | |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Mail Stop PCT Attn: ROUS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | | | |